

**RESPONSE UNDER 37 CFR § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 3723**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 4361**
Kenji SAITO et al. : Attorney Docket No. 2005_0635A
Serial No. 10/532,586 : Group Art Unit 3723
Filed June 17, 2005 : Examiner Robert J. Scruggs
SURFACE-TREATING PROCESS FOR
VACUUM MEMBER : **Mail Stop: AF**

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated December 10, 2008 of the Primary Examiner finally rejecting claims 1, 3-11 and 17-19.

- (X) A timely response to the final rejection has been filed.
- (X) The extension fee of \$130.00 for a one month extension of time is to be charged to our credit card.
- (X) The Appeal Fee of [X] \$540.00 (other than Small Entity)
[] \$270.00 (Small Entity)
- () is enclosed
(X) is to be charged to our credit card
- () Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which
() is enclosed.
() has been previously submitted.

() The Appeal Fee is not required since it was paid in a prior appeal.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Kenji SAITO et al.

/Amy E. Schmid/

By 2009.04.10 15:05:09 -04'00'

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April 10, 2009